

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3
4 CENTRAL KLAMATH COUNTY
5 COMMUNITY ACTION TEAM,

6 *Petitioner,*

7
8 vs.

9
10 KLAMATH COUNTY,

11 *Respondent.*

12
13 LUBA No. 2001-175

14
15 FINAL OPINION
16 AND ORDER

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18 Appeal from Klamath County.

19
20 Christine M. Cook, Portland, represented petitioner.

21
22 Reginald R. Davis, County Counsel, Klamath Falls, represented respondent.

23
24 BASSHAM, Board Member; BRIGGS, Board Chair; HOLSTUN, Board Member,
25 participated in the decision.

26
27 DISMISSED

12/07/2001

28
29 You are entitled to judicial review of this Order. Judicial review is governed by the
30 provisions of ORS 197.850.

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1 Bassham, Board Member.

2 The county moves to dismiss this appeal, arguing that petitioners' appeal of the
3 county's decision is moot because the application underlying the challenged decision has
4 been withdrawn. Petitioners agree with the county that the appeal is moot, because the
5 county has rescinded the decision appealed in this case. Attached to petitioners' response is
6 a copy of the county decision rescinding its earlier approval.

7 We agree with petitioners that the present appeal is moot, because the county has
8 rescinded the appealed decision. *Heiller v. Josephine County*, 25 Or LUBA 555, 556 (1993).
9 Accordingly, this appeal is dismissed.